

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled NOVEL MOLECULES OF THE HERPESVIRUS-ENTRY-MEDIATOR-RELATED PROTEIN FAMILY AND USES THEREOF, the specification of which

☐ is attached hereto.

☒ was filed on June 29, 1999 as Application Serial No. 09/342,767 and was amended on \_\_\_\_\_.

☐ was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. SERIAL NO.	FILING DATE	STATUS
<u>09/146,950</u>	<u>September 3, 1998</u>	<input checked="" type="checkbox"/> Pending <input type="checkbox"/> Issued <input type="checkbox"/> Abandoned

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Anita L. Meiklejohn, Reg. No. 35,283; J. Peter Fasse, Reg. No. 32,983; John W. Freeman, Reg. No. 29,066; Timothy A. French, Reg. No. 30,175; Eldora L. Ellison, Reg. No. 39,967; Mark F. Boshart, Reg. No. 35,456; Jean M. Silveri, Reg. No. 39,030; Theodore R. Allen, Reg. No. 41,578; and Cynthia L. Kanik, Reg. No. 37,320.

Address all telephone calls to Anita L. Meiklejohn at telephone number 617/542-5070.

Address all correspondence to Anita L. Meiklejohn, Fish & Richardson P.C., 225 Franklin Street, Boston, MA 02110-2804.

## COMBINED DECLARATION AND POWER OF ATTORNEY CONTINUED

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: Samantha J. Busfield

Inventor's Signature: *Samantha J. Busfield* Date: 8/26/99

Residence Address: Cambridge, MA 02138

Citizen of: Australia

Post Office Address: 15 Trowbridge Street, Apt. 1, Cambridge, MA 02138

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## ASSIGNMENT

For valuable consideration, I, Samantha J. Busfield, of Cambridge, MA hereby assign to Millennium BioTherapeutics, Inc., a Delaware corporation having a place of business at 620 Memorial Drive, Cambridge, MA 02139, and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world, including, without limitation, the right to sue for past infringement, in the inventions and improvements which are subject of an application for United States Patent signed by me, entitled NOVEL MOLECULES OF THE HERPESVIRUS-ENTRY-MEDIATOR-RELATED PROTEIN FAMILY AND USES THEREOF, filed June 29, 1999, and assigned U.S. Serial Number 09/342,767, and I authorize and request the attorneys appointed in said application to hereafter complete this assignment by inserting above the filing date and serial number of said application when known; this assignment including said application, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and I authorize the Assignee to apply in all countries in my name or in its own name for patents, utility models, design registrations and like rights of exclusion, and for inventors' certificates for said inventions and improvements; and I agree for me and my respective heirs, legal representatives and assigns, without further compensation, to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

IN WITNESS WHEREOF, I hereto set my hand and seal at Cambridge,  
this 28<sup>th</sup> day of August, 1999  
Samantha J. Busfield L.S.  
SAMANTHA J. BUSFIELD

STATE OF Massachusetts :  
COUNTY OF Middlesex : ss.

Before me this 26<sup>th</sup> day of August, 1999, personally appeared  
Samantha J. Busfield known to me to be the person whose name is subscribed to the  
foregoing Assignment, and acknowledged that he/she executed the same as his/her free act and deed for the  
purposes therein contained.

Judith J. West  
Notary Public

My Commission Expires: 6/10/03

[Notary's Seal Here]